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Is EPA study last gasp for smoking in public?

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WASHINGTON — Smokers, beware. It's beginning to look as if there will be just two places where you can puff away in peace: your home and your car. And if you have children, you may not even be able to count on those havens.

A government report released Thursday, officially linking secondhand smoke to lung cancer and childhood respiratory ailments, is expected to generate a flood of new laws targeting embattled smokers — who already are targeted at work — in restaurants and other public places.

Indeed, health activists say the report's impact could extend into the homes of U.S. smokers and their families, affecting custody rights and parental visitation.

Two years in the making and hotly disputed by the tobacco industry, the Environmental Protection Agency report could become a powerful force in the ongoing transformation of American society — from one that once glamorized smoking to one that makes the smoker feel like an outcast.

'The EPA report will send reverberations across the country.'

Dr. ALFRED MUNZER,
American Lung Association

"Even outside in the open air, you're told, 'Put that out,' " complained office worker Robert Calhoun, as he took a drag on a cigarette Wednesday afternoon on a chilly Washington street. His company banned smoking

SECONDHAND SMOKE

The EPA report brands environmental tobacco smoke a Class A carcinogen, putting it in the same deadly class as asbestos and benzene, and says it:

- Causes 3,000 lung cancer deaths among the nation's nonsmokers each year.
- Causes 150,000 to 300,000 cases of respiratory infections each year in children up to 18 months of age. Of these, 7,500 result in hospitalization.
- Increases the frequency and severity of asthma attacks, contributing to attacks suffered by as many as one million children annually.
- Causes fluid buildup in the middle ear, a condition that can lead to ear infections.

SMOKING, FROM 1A

three years ago.

"We have rights, too," he continued. "A lot of people who smoke really don't want to, but have a difficult time stopping."

Health activists called the new report a milestone in the public and private struggle Americans have been waging against tobacco since the 1964 surgeon general's report that first linked smoking with lung cancer.

They believe it will encourage hundreds of anti-smoking groups to demand total smoking bans, instead of permitting separate sections for smokers and nonsmokers. A coalition of health groups said this week that "smoke-free zones" should be established in all schools, day-care centers, workplaces, restaurants, hospitals, trains, airports, sports arenas and shopping malls.

"We expect the EPA report will send reverberations across the country, leading to stronger state and local policies for smoke-free schools, workplaces and public places," said Dr. Alfred Munzer, president-elect of the American Lung Association.

John Banzhaf, executive director of Action on Smoking and Health, a Washington anti-smoking group, said the report also "will accelerate a trend already under way" that affects smoking parents.

For example, smokers fighting for child custody could lose out to a nonsmoking parent armed with the evidence marshaled in the EPA report.

Source: https://www.industrydocuments.ucsf.edu/docs/tnyn0004

Judges in up to three dozen custody cases have already issued orders prohibiting smoking around children, said Banzhaf, a law professor whose complaint led to the removal of cigarette commercials from television in 1971.

In addition, parents who smoke around their children who suffer from respiratory ailments, such as asthma, sinusitis and allergies, could be cited for child abuse or neglect, Banzhaf said.

In 1989, a judge in Denton, Md., placed a 3-year-old with severe asthma in a foster home when her parents ignored medical advice to stop smoking around the child.

"Nobody's saying parents have to stop smoking," Banzhaf said. "What we're suggesting is that parents who have children with these sensitivities to step out into the garage or the porch or at least a separately ventilated room and close the door."

The Tobacco Institute, an industry trade group, said two-thirds of the studies the EPA reviewed don't support the report's conclusions on lung cancer, and argued that the report is statistically insignificant.

The industry also doesn't concede that smoking causes cancer.

Although the EPA considered issuing another report linking heart disease and passive smoking, it backed off because the agency didn't find a strong-enough connection. The American Heart Association believes there is one.

Over time, health activists believe, the findings will prompt more employers to ban smoking rather than face the increasing cost of compensation paid to nonsmoking employees who claim they were made sick by their colleagues' habits. A California teacher recently won a settlement for health problems caused by smoke drifting from a first-floor teachers' lounge into her second-floor classroom, Banzhaf said.

The report's catalog of the impact of secondhand smoke on infants and children may produce quicker results. One possibility: Fast-food restaurants, which cater to children but provide smoking sections for adults, could ban smoking rather than risk being held liable if the secondhand smoke triggers an asthma attack in a child. So could airlines that now permit smoking on overseas flights.

"For places like McDonald's, I think the simple answer is to ban smoking," Banzhaf said, "or if they have smoking sections, at least keep kids out."

For Munzer, a lung specialist, the report — and the promise it holds for a smoke-free society — is long overdue.

"I see the men and women with end-stage lung cancer or emphysema . . . I see the children who cough and wheeze as their asthma is made worse by exposure to environmental tobacco smoke. I see their faces and their pain, and I know it could so easily be prevented."

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